

## NEGATIVE.

Messrs. Ridgely, Spr.	Martin	Naill
Heard	Lowe	Hope
Causin	Willis	Gallagher
Weleh of Kent	Rider	Graves
Edes	Jones of Som.	Pressman
Jones of Kent	Keene	Seidenstricker
Gantt	Frazier	Le Grand
Estep	Morton,	Nesbitt
Dorsey	Simcoe	Zeigler
Brent	Maccubbin	Gittings
Matthews	Ford	Coombs
Holmes	Hooper	Shower
Poultney	Richardson	Boyle
Orrick	Wm. Lynch	Lecompte
Randall	E. A. Lynch	Stull—45

So the second branch was rejected.

The said communication was then laid on the table.

The following is the communication received from his Excellency the Governor:

March 31st, 1841.

*Gentlemen of the Senate*

*And of the House of Delegates:*

In the resolutions, accompanying the report of the committee, to whom was referred that part of my message which relates to the public lands, I am requested 'to transmit copies of said report and resolutions to each of our Senators and Representatives in Congress, and to the Governors of the several States,' to be laid before Congress and the different Legislatures of the Union.

The committee recommended the adoption of their resolutions, 'with the intent mainly of proclaiming to the people of this State, that their Representatives in the General Assembly are unwilling to concur with the Executive, in the surrender of claims which our forefathers asserted and maintained, in the darkest period of the struggle by which that claim was established.'

They proclaim to the people of this State, to the Legislatures of other States, and to Congress, their 'ignorance of any constitutional rule imposing on his Excellency the duty of forestalling Legislative action upon a claim of infinite importance to the State, by denying in his Executive capacity the justice of such claim, and impairing the power with which it might be prosecuted by division between two departments of the State Government;' and express 'the surprise with which they listened to his communication so far as it related to the subject committed to them.'

In reference to my improper interference with this subject, the committee further remark, that 'in our present exigences, his Excellency might have permitted that department of the State, to which its financial interests are entrusted, to act upon any subject connected with those interests, unobstructed by volunteer opposition from the Executive, even if we were forbid to rely upon its efficient aid.'